

EXHIBIT A

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

19 **IN RE OPTICAL DISK DRIVE PRODUCTS**
20 **ANTITRUST LITIGATION**

21 This document relates to:

22 *INDIRECT PURCHASER CLASS ACTION*

MDL No. 2143

Case No. 3:10-md-02143-RS (JCS)

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**DECLARATION OF LISA M. KAAS IN
SUPPORT OF BENQ DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

I, Lisa M. Kaas, do hereby declare:

1. I am counsel with the law firm of Blank Rome LLP and counsel of record in this action for Defendants BenQ Corporation and BenQ America Corp. (the "BenQ Defendants"). I make this Declaration based upon my personal knowledge and information I have reviewed in this action, and if called upon to testify as to the facts herein, I could and would do so competently.

1 2. Attached hereto as Exhibit A-1 is a true and correct copy of the Joint Venture
2 Agreement by and between BenQ Corporation and Koninklijke Philips Electronics N.V. Dated
3 April 25, 2003, and Exhibits A through C thereto, that were produced by the BenQ Defendants in
4 this litigation and Bates-labeled ODD-BENQ-00000023-00000049 and ODD-BENQ-00000061-
5 00000071, respectively.

6 3. Attached hereto as Exhibit A-2 is a true and correct copy of Defendant Koninklijke
7 Philips Electronics N.V. Narrative Responses to Plaintiffs' Joint Notice of Deposition of the Philips
8 Defendant Family Pursuant to Federal Rule of Civil Procedure 30(b)(6), which were served in
9 discovery in this litigation by Defendant Koninklijke Philips Electronics N.V.

10 4. Attached hereto as Exhibit A-3 is a true and correct copy of the Objections and
11 Responses of Defendants BenQ Corporation and BenQ America Corp. to Plaintiffs' Notice of Rule
12 30(b)(6) Deposition, which were served in discovery in this litigation by the BenQ Defendants.

13 5. Attached hereto as Exhibit A-4 is a true and correct copy of the cover page and
14 pertinent excerpts of the certified transcript of the deposition of Alpha Tsai taken in this litigation
15 on April 4-5, 2016.

16 6. Attached hereto as Exhibit A-5 is a true and correct copy of the cover page and
17 pertinent excerpts of the certified transcript of the deposition of Duncon Wu taken in this litigation
18 on September 13, 2016.

19 7. Attached hereto as Exhibit A-6 is a true and correct copy of the Lite-On IT Corp.
20 and BenQ Corp. Manufacturing Strategic Alliance Agreement dated April 10, 2006, that was
21 produced by the BenQ Defendants in this litigation and Bates-labeled ODD-BENQ-00000050-
22 00000059. This document was marked for identification as Deposition Exhibit 254.

23 8. Attached hereto as Exhibit A-7 is a true and correct copy of the Amendment
24 Agreement to Joint Venture Agreement, dated August 7, 2006, that was produced by the BenQ
25 Defendants in this litigation and Bates-labeled ODD-BENQ-00061019-00061027.

26 9. Attached hereto as Exhibit A-8 is a true and correct copy of Defendant Lite-On IT
27 Corporation's Narrative Responses to Plaintiffs' Joint Notice of Deposition of the Lite-On IT
28

1 Corporation Pursuant to Federal Rule of Civil Procedure 30(b)(6), which were served in discovery
2 in this litigation.

3 10. Attached hereto as Exhibit A-9 is a true and correct copy of a document Bates-
4 labeled ODDCIV-001181873-001181875, which is an email dated August 9, 2006 and attachment
5 thereto, that was produced by the PLDS Defendants in this litigation. This document was marked
6 for identification as Deposition Exhibit 1026.

7 11. Attached hereto as Exhibit A-10 is a true and correct copy of a document Bates-
8 labeled ODD-BENQ-00835679-00835680, which is an email chain dated August 10-11, 2006 that
9 was produced by the BenQ Defendants in this litigation.

10 12. Attached hereto as Exhibit A-11 is a true and correct copy of the Joint Venture
11 Agreement by and between Lite-On IT Corporation and Koninklijke Philips Electronics N.V. Dated
12 5 March 2007, that was produced in discovery by the PLDS Defendants in this litigation and Bates-
13 labeled ODDCIV-005383306-005383328. This document was marked for identification as
14 Deposition Exhibit 257.

15 13. Attached hereto as Exhibit A-12 is a true and correct copy of the Lite-On IT
16 Corporation & BenQ Corporation Sale and Purchase Agreement relating to BenQ Corporation's
17 shareholding in Philips & BenQ Digital Storage Corporation, dated December 1, 2006, that was
18 produced by the PLDS Defendants in this litigation and Bates-labeled ODDCIV-005383799-
19 005383803. This document was marked for identification as Deposition Exhibit 256.

20 14. Attached hereto as Exhibit A-13 is a true and correct copy of a document Bates-
21 labeled ODD-BENQ-00061239, which is a BenQ Corporation Board resolution that was produced
22 by the BenQ Defendants in this litigation.

23 15. Attached hereto as Exhibit A-14 is a true and correct copy of a document Bates-
24 labeled ODDCIV-005481217-005481222, which is an email chain dated December 20-27, 2006
25 and attachment thereto, that was produced by the PLDS Defendants in this litigation.

26 16. Attached hereto as Exhibit A-15 is a true and correct copy of a document Bates-
27 labeled SOA DOJ 1 1251427-1251429, which is an email chain dated April 10-11, 2006 that was
28 produced by the Sony Defendants in this litigation.

1 17. Attached hereto as Exhibit A-16 is a true and correct copy of the cover page and
2 pertinent excerpts of the certified transcript of the deposition of Dae Hwa (Bruce) Jeong taken in
3 this litigation on April 18-19, 2013.

4 I declare under penalty of perjury that the foregoing is true and correct. Executed this
5 30th day of June, 2017 at Washington, DC.

/s/ Lisa M. Kaas
LISA M. KAAS